

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 3:07 cr 86-DCB-JCS

DALE C. ARCHEY

ORDER

THIS CAUSE, having come on for hearing in open court to determine the competency of Defendant, Dale C. Archey, to assist in his defense in the above styled cause and to stand trial. The Court having considered report, submitted under seal from the Federal Detention Center in Butner, North Carolina and the statements of counsel, finds the Defendant is competent to stand trial and assist in his own defense. The Court having considered the evidence proffered by the Government, finds the Government has met the burden of proof beyond a reasonable doubt. The Court further having considered the statements of counsel, and the report, under seal, submitted to the Court by the Federal Detention Center in Butner, finds that the Defendant has proven by clear and convincing evidence that he was insane at the time the crime was committed. It is, therefore,

ORDERED that pursuant to 18 U.S.C. § 4242(b), the Court finds Dale C. Archey is not guilty by reason of insanity. It is further

ORDERED that pursuant to 18 U.S.C. § 4243(a), Dale C. Archey be transported by the United States Marshal and committed to the custody of the Attorney General at the Bureau of Prisons facility in Butner, North Carolina for psychiatric or psychological examination, It is

further,

ORDERED that the purpose of the examination shall be for determination of the Defendant's propensity for dangerousness if released pursuant to 18 U.S.C. § 4243(e). It is further,

ORDERED, the examiner designated to conduct such examination shall, pursuant to 18 U.S.C. § 4247(d), file with the Court as soon as possible after the completion of such examination, a report of the examination with copies provided to the Court, counsel for the Defendant and counsel for the United States. as said report shall include the Defendant's history and present symptoms, a description of the psychiatric, psychological, and medical test that were employed and their results, the examiner's findings, the examiner's opinions as to diagnosis, prognosis It is further,

ORDERED, the Attorney General shall report to the Court during this time on the progress of the evaluation A hearing is to be conducted on findings of examination within forty days from the date of this order pursuant to 18 U.S.C. § 4243(c). It is further,

ORDERED, that Defendant shall remain in the custody of the United States Marshal until the completion of the examination, and shall remain in custody of Marshal, pending further order of this Court

SO ORDERED this the 29th day of July, 2009.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE